

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Developing a Unified Inter-carrier)	
Compensation Regime)	
)	CC Docket No. 01-92
Sprint Petition for Declaratory Ruling)	
Regarding the Routing and Rating of)	
Traffic By ILECs)	
_____)	

**REPLY COMMENTS OF THE
UNITED STATES TELECOM ASSOCIATION**

The United States Telecom Association (USTA),¹ through the undersigned and pursuant to Federal Communications Commission (FCC) Rules 1.415 and 1.419,² hereby submits reply comments in the above-docketed proceeding. In this proceeding, the FCC seeks comment on Sprint Corporation's (Sprint) Petition for a Declaratory Ruling (Petition).

SUMMARY

On May 9, 2002, Sprint filed a Petition seeking verification that an incumbent local exchange carrier (ILEC) may not refuse to load telephone numbering resources from an interconnecting carrier and may not refuse to honor the routing and rating points designated by the interconnected carrier for its numbering resources. The FCC on July 18, 2002, released Public Notice (DA 02-1740) seeking comment on Sprint's Petition.

¹ USTA is the Nation's oldest trade organization for the local exchange carrier industry. USTA's carrier members provide a full array of voice, data and video services over wireline and wireless networks.

² 47 C.F.R. §§ 1.415 and 1.419.

DISCUSSION

In its Petition, Sprint contends that BellSouth will not load NPA-NXX codes that it has acquired because the routing and rating points for the codes are not the same.³ In addition, Sprint claims that BellSouth is requiring them to “correct” interconnection arrangements with independent local exchange carriers located in certain southern states by June 8, 2002, or face the possibility that BellSouth will stop routing calls for Sprint where the routing point does not match or where the routing point is associated with another ILEC other than BellSouth.⁴ In its Opposition, BellSouth stated “that (1) all of Sprint PCS’s NPA-NXXs have now been loaded regardless of rating and routing points; and (2) BellSouth will not unilaterally stop routing Sprint PCS calls on June 8, 2002 or any other date.”⁵

In light of the facts presented, USTA concurs with BellSouth that Sprint’s assertions are incorrect and that a ruling by the FCC on Sprint’s Petition would now be inappropriate because BellSouth has fulfilled Sprint’s request and loaded the rating and routing codes provided by Sprint into its tandem switch. In so doing, BellSouth has removed the controversy that supported Sprint’s request for a declaratory ruling and the Petition should be dismissed. Thus, for the reasons set forth in BellSouth’s Opposition, USTA urges the FCC to deny Sprint’s Petition and address the larger issue of wireless rating and routing of traffic within this docketed proceeding. Moreover, USTA seeks consideration by the FCC of the following three policies regarding wireless rating and routing of traffic in this proceeding.

³ See BellSouth’s Opposition at 1.

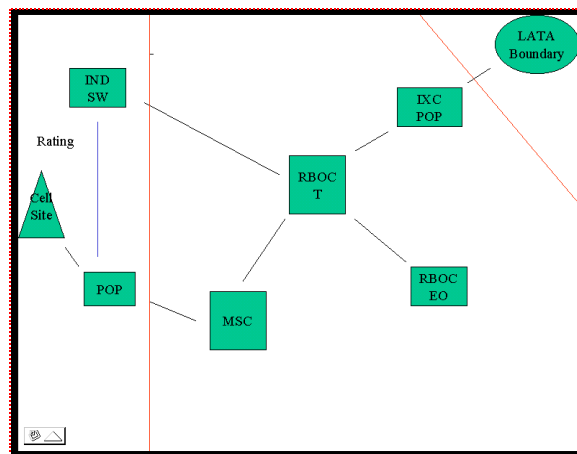
⁴ *Id.* The states involved in the controversy are North Carolina, South Carolina and Florida.

⁵ *Id.* at 2.

I. Proposed Wireless Rating and Routing Policy

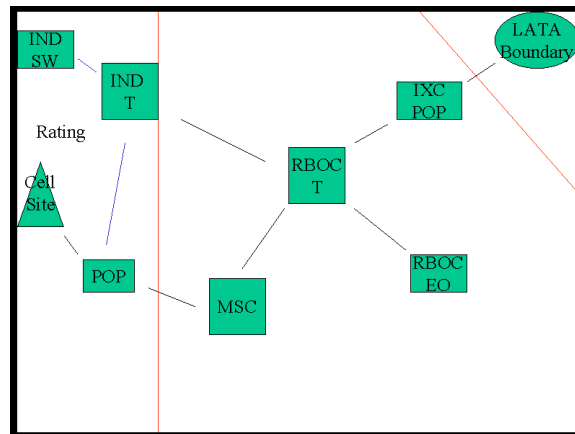
A. Where a wireless carrier requests that an RBOC load NPA-NXX codes where the routing and rating points for the codes are not the same, the wireless carrier must properly compensate all involved carriers for the costs incurred for transit, including transport and termination.

Diagram A



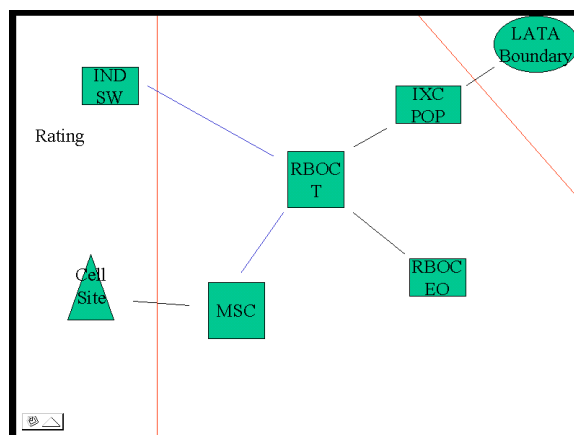
B. Any CMRS provider obtaining an NPA/NXX with the rate center designation (rating point) of an independent local exchange carrier must designate a point of presence within the independent local exchange carrier's serving area and make arrangements with the independent local exchange carrier, which may include establishing a direct connection with the independent local exchange carrier.

Diagram B



C. Consistent with the prior policy, when the independent local exchange carrier does not have a tandem, the homing arrangement for the NPA/NXX may be on the LATA tandem. This will allow calls from other areas to the NPA/NXX be transited by the LATA tandem company and completed by the CMRS provider. If there is no direct connection to the independent local exchange carrier, the CMRS provider and the independent local exchange carrier must have agreed to compensation and facilities arrangements among themselves as well as with the transiting company.

Diagram C



Moreover, the FCC should clearly look towards its rules and prior decisions when making its determination in regards to wireless rating and routing of traffic. The FCC should take into account its recent decision in the Verizon/AT&T/WorldCom/Cox arbitration for Virginia (Virginia Arbitration).⁶ In the Virginia Arbitration, the FCC, in part, addressed significant policy implications that need to be addressed here in a much broader context than a Sprint declaratory ruling petition that will not allow for the fleshing out of all of the issues implicated.

II. Conclusion

For the reasons set forth herein, USTA supports BellSouth's request that Sprint's Petition is now inappropriate and should be denied. Moreover, USTA recommends that the FCC affirm the wireless rating and routing policies, set forth above, within this docketed proceeding.

Respectfully submitted,

UNITED STATES TELECOM ASSOCIATION

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⁶ See Memorandum Opinion and Order, *Petitions of WorldCom, Inc. Pursuant to Section 252(e)(5) of the Communications Act for Preemption of the Jurisdiction of the Virginia State Corporation Commission Regarding Interconnection Disputes with Verizon Virginia Inc. and the Expedited Arbitration, et. al.*, CC Docket Nos. 00-218, 00-251, DA 02-1731 (July 17, 2002).

